



HON. SYLVIA O. HINDS-RADIX
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LAW DEPARTMENT
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March 3, 2023

VIA ECF

Hon. John G. Koeltl
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Application granted. SO ORDERED.

New York, NY /s/ John G. Koeltl
March 4, 2023 John G. Koeltl, U.S.D.J.

Re: S.S. v. N.Y.C. Dep't of Educ., 22-cv-9735 (JGK)(SDA)

Dear Judge Koeltl:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

I write to respectfully request a 30-day extension of Defendant's time to respond to the Complaint from March 7 to April 7, 2023. This is the second request for an extension, the first extension having been granted on November 25, 2022 (ECF No. 9). The parties have exchanged offers and continue to engage in good-faith settlement negotiations, but have not yet achieved resolution and wish to continue those efforts. Additionally, as this is an IDEA fees-only claim and neither liability nor discovery is at issue, Defendant respectfully requests the adjournment, *sine die*, of the Initial Conference scheduled for March 15, 2023. Plaintiff consents to these requests.

Accordingly, Defendant respectfully requests that the time to respond to the Complaint be extended to April 7, 2023, with a status letter due by that same date either informing the Court that case has fully resolved, or proposing a briefing schedule, and that the Court adjourn the Initial Conference, *sine die*.

Thank you for considering these requests.

Respectfully submitted,

/s/
Marina Moraru
Special Assistant Corporation Counsel

cc: Adam Dayan, Esq. (via ECF)